

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Eun-Bong HAN

Application	10/720,173	Group Art Unit:	2853
Filed:	November 25, 2003	Examiner	Loenard S. Liang
Customer No.:	38209	Confirmation No.	4330
For:	INKJET PRINTER HEAD DRIVING APPARATUS AND CONTROL METHOD THEREOF		

Mail Stop Issue Fee
Commissioner for patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
UNDER 37 C.F.R. § 1.104**

Sir:

The Examiner provided a Statement of Reasons for Allowance in the Office Action mailed on December 24, 2008, in which the Examiner indicated that claim 6 is allowed. In particular, the Examiner indicates that "[t]he reason claim 6 is allowed, but none of the other claims are allowed, is because claim 6 is directed to a control method, whereas the other claims are directed to apparatuses." The Examiner contends that "the KSR v. Teleflex argument made above could apply to apparatuses, but could not apply to methods."

However, it is respectfully submitted that the Examiner's Statement is not an accurate quote with respect to the allowable features of the allowed claims, and instead, raises "possible misinterpretations, and possible estoppel effects" (MPEP 1302.04) and accordingly, should be disregarded. In the language of MPEP 1302.14 "care must be taken to ensure that such

reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims."

In the present case, the Examiner's statement appears to imply that claim 6 is solely representative of the allowable subject matter since claim 6 is directed to a control method, whereas the other claims are not allowed because they are directed to apparatuses. However, contrary to the Examiner's statement, it is respectfully submitted that the allowable subject matter is not limited to the control method recited in claim 6, nor do each of the finally allowed claims require each and every feature recited in independent claim 6. For example, allowed claims 1-5 and 8-31 are directed to an inkjet printer head driving apparatus (or inkjet head driving unit) having one or more nozzles and heating elements, and do not recite the control method of independent claim 6.

Therefore, contrary to the Examiner's statement, it is respectfully submitted that the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same, and are not constrained by any method or apparatus limitations as submitted by the Examiner in the Examiner's Reasons for Allowance.

Thus, while perhaps being useful in understanding the invention, the Examiner's comments could lead to an unwarranted and unnecessary narrowing interpretation of the claims. Therefore, it is respectfully submitted that the claims should not be interpreted based on the Examiner's statement.

STANZIONE & KIM, LLP

Dated: February 18, 2010
919 18th St., NW, Suite 440
Washington, D.C. 20006
Telephone: (202) 775-1900
Facsimile: (202) 775-1901

By: 
Andrew Lake
Registration No. 53,909